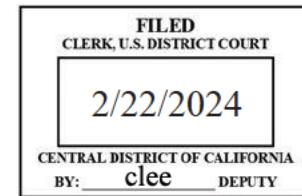


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10 Attorneys for Plaintiff
11 UNITED STATES OF AMERICA

12 UNITED STATES DISTRICT COURT

13 FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,

No. CR 18-759-CJC

15 Plaintiff,

EX PARTE APPLICATION FOR ISSUANCE
OF ARREST WARRANT; DECLARATION OF
SOLOMON KIM

v.

16 ROBERT RUNDO et al.,

[UNDER SEAL]

17 Defendants.

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19 The government hereby applies, ex parte, for the issuance of an
20 arrest warrant for defendant ROBERT RUNDO.

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1 This ex parte application is based upon the attached declaration of
2 Solomon Kim.

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4 Dated: February 22, 2024

Respectfully submitted,

5 E. MARTIN ESTRADA
United States Attorney

6 CAMERON L. SCHROEDER
7 Assistant United States Attorney
Chief, National Security Division

8

9 /s/
10 SOLOMON KIM
Assistant United States Attorney

11 Attorneys for Plaintiff
12 UNITED STATES OF AMERICA

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DECLARATION OF SOLOMON KIM

I, Solomon Kim, declare as follows:

1. I am an Assistant United States Attorney ("AUSA") in the United States Attorney's Office for the Central District of California. I am one of the AUSAs assigned to represent the government in United States v. Robert Rundo et al., CR 18-759-CJC.

2. On January 4, 2023, a first superseding indictment ("FSI") was filed against defendants ROBERT RUNDO, ROBERT BOMAN, and TYLER LAUBE for violations of 18 U.S.C. §§ 2101 (Riots) and 371 (Conspiracy). On February 21, 2023, defendant BOMAN made his initial appearance on the FSI and was initially detained, but subsequently released on bond. On August 2, 2023, defendant RUNDO made his initial appearance on the FSI and was ordered detained.

3. On February 21, 2024, on defendant RUNDO and BOMAN's motion, the Court dismissed the FSI. In dismissing the FSI, the Court ordered defendant RUNDO to be released from custody forthwith and exonerated defendant BOMAN's bond. Defendant RUNDO was subsequently released from custody that day.

4. On the same day, the government filed a notice of appeal of the Court's dismissal order, along with an emergency order to stay the Court's release order pending appeal.

5. On February 22, 2024, the Ninth Circuit issued an order staying defendant RUNDO's immediate release pending resolution of the government's motion to stay defendant RUNDO's release pending appeal, which is attached hereto as **Exhibit 1**.

6. In light of the Ninth Circuit's stay, the August 2, 2023 detention order of defendant RUNDO is the operative order now in effect.

7. Accordingly, given the Ninth Circuit's stay of the Court's dismissal order and the August 2, 2023 detention order, the government requests that an arrest warrant be issued for defendant RUNDO so that he can be detained.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. Executed on February 22, 2024 at Los Angeles, California.

/s/
SOLOMON KIM

EXHIBIT 1

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

FEB 22 2024

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellant,

v.

ROBERT RUNDO and ROBERT BOMAN,

Defendants - Appellees.

No. 24-932

D.C. No.

2:18-cr-00759-CJC

Central District of California,
Los Angeles

ORDER

Before: CLIFTON, CALLAHAN, and H.A. THOMAS, Circuit Judges.

The district court's February 21, 2024 judgment of discharge authorizing appellee Robert Rundo's immediate release is temporarily stayed pending resolution of appellant's motion to stay release pending appeal. *See Doe #1 v. Trump*, 944 F.3d 1222, 1223 (9th Cir. 2019).

The schedule for the motion to stay will be set by separate order.